Northland REGIONAL COUNCIL
Te Kaunihera ā rohe o Te Taitokerau

28 August 2026

FTAA-2603-1178 – ALTERNATIVE TO BRYNDERWYN HILLS FAST TRACK APPLICATION – INVITATION TO COMMENT

This letter provides Northland Regional Council (the council) comments on the Alternative to Brynderwyn Hills application, as originally invited by Minute 3 from the Expert Panel.

The council's comments are restricted to proposed conditions of consent for the Regional consents.

Comments on proposed draft conditions

The council's compliance and consents staff have been in ongoing discussions with the Applicant regarding the proposed conditions of consent. The Applicant provided the council with an updated track change version of the draft conditions that were provided with the application, which are dated 13 July. Council's comment on the draft conditions have been made on this version and are recorded as track change "comments". Council's comments have also been discussed with the Applicant.

A copy of this document has been included in the email submitting council's comments on this application to the Expert Panel.

The council's main reason for these comments is to ensure that the final conditions address all relevant effects of the activities and that they are enforceable.

A summary of the comments is provided below:

- Request to change the word 'shall' to 'must where appropriate as 'must' is more directive and enforceable;
- Request to include a condition requiring a pre-start meeting to be arranged between the council and the Applicant's contractor prior to each stage of works. This is a standard approach and allows Council compliance staff to be familiar with what is being proposed and to allow discussion on any changes that may be required;
- The management plan conditions RC05 to RC09 are considered to be not fit for purpose. The timeframes for certification of each plan should be clear and allow for the Consent Holder to amend plans, if required, before they are actually required to be used. There is also no process for resubmitting a plan if it is not certified and the trigger for providing a change to a plan to council for recertification is too high. The inclusion of "deemed" certification of management plans is strongly opposed, particularly in this case where the proposed environmental effects of an activity are essentially controlled by a management plan;
- Request to remove or change RC9A so this does not reference documents prepared for a different type of permit (e.g. for the designation permits);

- Request to include conditions limiting adverse effects associated with the works (e.g. by including a condition limiting dust effects beyond the boundary of the designation and water quality effects beyond the zone of reasonable mixing downstream of the area of works);
- Request to include a condition requiring that erosion and sediment controls are installed prior to the commencement of works for each stage;
- Request for changes to the conditions that require an alternative supply of water to be provided to persons who have lost supply due to the proposed works (RC 28-31);
    (a) This should include surface water users impacted by the works (if applicable);
    (b) Removal of the word 'consented' with regards to existing water supply wells, as many groundwater bores were constructed prior to resource consent being required for bore construction;
    (c) The report required to be prepared by RC31 should include a survey of all water users within the area of influence and details of the expected temporary or permanent interruption of any existing water take. Due to limitations in the information that the council holds on permitted water takes this will require the Applicant to speak to individual property owners/occupiers to confirm where/how water is being taken;
    (d) Alternative supply should be required to be implemented prior to any interruption of supply.
- Request to add river catchment on northern side of the Brynderwyns into condition RC44 as it currently only includes the Wairau catchment;
- Request to include condition that requires that the works do not result in the flooding effects specified in RC55(a) and (b), rather than just a requirement to provide a report demonstrating that the specified effects will not occur;
- Request to change RC55(b) so that this refers to all buildings and not just be limited to habitable buildings only.

Yours faithfully

Consents Manager
Northland Regional Council